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**DOCKET FILE COPY ORIGINAL**

March 10, 1997

11-10-97

**BY HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: 

Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations <b>Amelia, Louisiana</b>
<b>MM Docket No. 97-8, RM-8957</b>

Dear Mr. Caton:

Transmitted herewith on behalf of Amelia Broadcasting Company of Louisiana are an original and four (4) copies of its "Comments of Amelia Broadcasting Company of Louisiana" as directed to the Chief, Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,



Henry E. Crawford  
Counsel for  
Amelia Broadcasting Company of  
Louisiana

cc: John A. Karousos  
Ms. Pam Blumenthal

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BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C.

In the Matter of	)	MM Docket No. 97-8
	)	
Amendment of Section 73.202(b)	)	RM-8957
Table of Allotments	)	
FM Broadcast Stations	)	
(Amelia, Louisiana)	)	

To: Chief, Allocations Branch

**COMMENTS OF AMELIA BROADCASTING COMPANY OF LOUISIANA**

Amelia Broadcasting Company of Louisiana ("Amelia Broadcasting"), by counsel, in accordance with 47 CFR §§ 1.415 and 1.420, hereby submits its comments in the above-captioned proceeding. In support thereof, Amelia Broadcasting states as follows:

**I. INTRODUCTION**

1. On January 10, 1997, the Commission released a Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding in which it proposed the allotment of Channel 249C3 to Amelia, Louisiana as its first local aural transmission service. Amelia Broadcasting supports the allotment for the reasons stated herein and the reasons stated by Amelia Broadcasting in its *Petition for Rulemaking*, which is hereby incorporated by reference.

2. In the NPRM the Commission asked Amelia Broadcasting to:

...demonstrate whether [Amelia] has any commercial establishments, social, economic, cultural or religious organizations, municipal services, or governmental units that identify themselves specifically with that locality.

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and

...provide a showing demonstrating that a suitable fully spaced area exists to locate a transmitter tower.

NPRM, p. 2, ¶¶ 2-3. Amelia Broadcasting respectfully submits that the community of Amelia presents a strong community with retail and industrial businesses as well as adequate dry land to support an FM Transmitter.

**A. Amelia Is A Community For Allocation Purposes**

3. The Community of Amelia is a Census Designated Place ("CDP") with a 1990 U.S. Census population of 2, 447 persons.<sup>1</sup> It also possesses its own zip code (70340). The presence of these factors and particularly the listing of Amelia as a CDP creates a strong presumption of community status. East Hemet, Indio, Rancho California, Sun City, and Temecula, California, 4 FCC Rcd 7895, 7896, ¶¶10 (MMB 1989). This presumption may only be rebutted where there is no indicia of such elements of community as social, economic or cultural activities. Searles Valley, California, 3 FCC Rcd 5221, ¶¶5-6 (MMB 1988). In the present case there is abundant indicia of community life.

4. The community of Amelia was included in a 1992 Economic Census--Retail Trade Report published by the Center for Business & Economic Research, Northeast Louisiana University.<sup>2</sup> Recognition by a commercial authority is substantial evidence that the community is viewed as a unique locality. Homerville, Lakeland and Statenville, Georgia, 6 FCC Rcd 5802 ¶3 (MMB 1991) (economic profile of community prepared by department of industry and trade found to present substantial evidence of community as a

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<sup>1</sup> See NPRM p. 1, ¶2.

geographically identifiable population grouping). In the present case, the economic analysis revealed that Amelia possesses eight retail establishments with \$1,537,000 in sales and employing 22 people with a payroll of \$100,000. Amelia has two supermarkets/grocery stores and two convenience food stores, one of which also sells gasoline. Amelia has one restaurant, two refreshment places and a drug store. The existence of businesses that are identified with the community presents clear evidence that the locality is an identifiable community for purposes of the table of allotments. Essex, New York, 4 FCC Rcd 5775 ¶2 (MMB 1989).

5. Amelia is a prominent shipbuilding and repair center. McDermott Shipbuilding, Inc. has a shipyard in Amelia for river and ocean barges.<sup>3</sup> In July of 1996, McDermott signed an agreement for the construction of a series of river barges over three years. The construction will begin in April 1997 and will be performed at the Amelia shipyard. Tidewater Marine, Inc. also has an Amelia facility,<sup>4</sup> and Amelia is also the home of the operational offices of the Sundowner Offshore Services, Inc.<sup>5</sup>

6. Given the vigorous local and nationally based business environment identified in Amelia, the underlying presumption created by the fact that Amelia is a census designated place must be sustained. There can be no question whatsoever that Amelia is an independent, identifiable community for allotment purposes.

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<sup>2</sup> See <http://leap.nlu.edu/ZIPCODE/70340.TXT>, Exhibit 1.

<sup>3</sup> See <http://www.mcdermott.com/sig/msi/contact.html>, Exhibit 2.

<sup>4</sup> See <http://www.tdw.com/gom.htm>, Exhibit 3.

**B. Suitable Transmitter Sites Can Be Found In Amelia**

7. Amelia has been shown to possess a substantial degree of industrial activity. If shipyards and retail establishments can be constructed in this area, it is *prima facie* evident that a transmitter can be erected. Indeed, Amelia Broadcasting has actually flown over the community and identified several areas that would be available for a transmitter. Therefore, Amelia Broadcasting respectfully submits that there is sufficient land to construct a transmitter facility.

**C. Amelia Broadcasting's Intention To Apply For The Channel And Construct The Station**

8. If the Commission assigns Channel 249C3 to Amelia, Louisiana, Amelia Broadcasting will apply for a construction permit and will construct a new facility upon award of that permit.

**II. CONCLUSION**

9. Amelia Broadcasting has amply demonstrated that Amelia, Louisiana is a community supporting a substantial commercial presence. There are several local retail establishments as well as a number of shipbuilding and marine companies. These companies have constructed shipyards and administrative offices in Amelia. Consequently, there must be sufficient dry ground upon which to construct an FM transmitter.

10. In view of the above, Amelia Broadcasting respectfully requests that the community of Amelia be afforded community status for purposes of the FM Table of Allotments.

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<sup>5</sup> See <http://www.rigs.com/sundown.htm>, Exhibit 4.

**WHEREFORE**, in accordance with the above, Amelia Broadcasting Company of Louisiana respectfully requests that Channel 249C3 be assigned to Amelia, Louisiana as its first local aural transmission service.

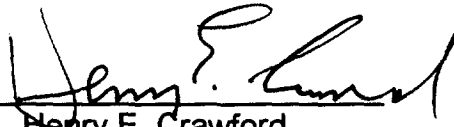
March 10, 1997

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Respectfully Submitted,

Amelia Broadcasting Company of Louisiana

By:   
Henry E. Crawford  
Its Attorney

**Amelia Broadcasting Company of Louisiana**  
**Comments of Amelia Broadcasting Company of Louisiana**  
**March 10, 1997**

**EXHIBIT 1**

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----- L E A P -----  
 Center for Business & Economic Research  
 Northeast Louisiana University, Monroe, Louisiana 71209-0101  
 Tel: 318-342-1215; Fax:318-342-1209  
 -----

1992 Economic Census--Retail Trade  
 70340 Amelia, Louisiana

ZIP code: 70340	Establishments	8	Sales	\$1,537,000
Amelia, LA	Employees	22	Payroll	\$100,000

SIC/description	Establishments				
	Total	Entire Year	Part Year	Number of Employees (Range)	
Retail Trade	8	5	3		20-99
54 Food stores	4	2	2		0-19
541 Grocery stores	4	2	2		0-19
541 pt. Supermarkets/grocery	2	1	1		0-19
541 pt. Convenience food stores	1	0	1		0-19
541 pt. Convenience food/gasoline	1	1	0		0-19
58 Eating and drinking places	3	2	1		0-19
5812 Eating places	3	2	1		0-19
5812 pt. Restaurants	1	0	1		0-19
5812 pt. Refreshment places	2	2	0		0-19
591 Drug and proprietary stores	1	1	0		0-19
591 pt. Drug stores	1	1	0		0-19

Questions about the subject matter should be directed to the Data User Services  
 Division of Bureau of the Census specified below.

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 Regional Economic Analysis Division  
 Bureau of the Census  
 United States Department of Commerce  
 Washington, D.C. 20233-0800  
 Tel:301-457-4100  
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□



Amelia Broadcasting Company of Louisiana  
Comments of Amelia Broadcasting Company of Louisiana  
March 10, 1997

**EXHIBIT 2**

# McDermott Shipbuilding, Inc.

## Contact Information

**For more information, please contact us  
at one of the numbers below:**

### For Newbuilding Ships and International Projects:

#### Headquarters at:

**McDermott Shipbuilding, Inc.**

160 James Drive East  
James Business Park  
St. Rose, Louisiana 70087

Tel: (504) 471-4000 (Operator)

Fax: (504) 471-4106

e-mail: [Mike.Pearson@mcdermott.com](mailto:Mike.Pearson@mcdermott.com)

### For Ship Repair and Conversions:

**Talleres Navales del Golfo, S.A.  
de C.V.**

PO Box 657  
Isolte San Juan de Ulua S/N  
Veracruz, Ver. C.P. 91800  
Mexico  
Phone: 52 29 89-2504  
Fax: 52 29 89-2500

### For River and Ocean Barges:

#### McDermott Shipyard

735 DeGravelle Road  
Amelia, Louisiana 70340  
Post Office Box 588  
Amelia, LA 70340-588

Tel: (504) 631-2561 (Operator)

(504) 631-8275

(504) 631-8114

(504) 631-7605

Fax: (504) 631-7750

## CONTENTS

**TNG Shipyard Veracruz, México**

**McDermott Shipyard Morgan City, LA**

**MSI Contact Information**

**McDermott Shipbuilding, Inc. Facilities**

**MSI Management Systems**

**McDermott Shipbuilding, Inc. Home Page**



Amelia Broadcasting Company of Louisiana  
Comments of Amelia Broadcasting Company of Louisiana  
March 10, 1997

**EXHIBIT 3**



**SUNDOWNER OFFSHORE SERVICES, INC.** and subsidiaries operates a fleet of 21 rigs which provide well servicing, drilling, workover, completion and plug/abandonment services on oil and natural gas wells located in the Gulf of Mexico and certain international offshore markets. **SUNDOWNER** markets a new generation of modular platform workover and drilling rigs that offer a significant improvement in mobility, reducing customer mobilization costs. **SUNDOWNER** currently operates:

- Seven **SUNDOWNER™** platform workover rigs
- Seven **SUPER SUNDOWNER™** platform workover rigs
- Five jackup workover rigs
- Two inland barge workover rigs
- Three Slurrying Units

Our subsidiaries include: **SUNSET SERVICES** (inland water workover and plugging & abandonment), **STRATA-VAULT** (cuttings slurrying and injection), and **QUALITY CATERING** (offshore catering service).

**Sales and Administrative offices** are located in Houston, TX, Lafayette, LA and Houma, LA. **Operational offices** are located in Amelia, LA and Houma, LA.

To view a typical rig inventory for each rig design or rig type, click on one of the rig names below. Also, see some recent **photos** of our rigs in action.

The rig fleet includes:

### SUNDOWNER OFFSHORE SERVICES

<b><i>SUNDOWNER™ Platform Workover Rigs (240 KIP)</i></b>			
<b>Rig Name</b>	<b>Location</b>	<b>Customer</b>	<b>Current Status</b>
<b><i>SUNDOWNER I</i></b>	Main Pass 290-A	Shell	Workover
<b><i>SUNDOWNER II</i></b>	Douala, Cameroon, Africa	Stacked	Refurbish
<b><i>SUNDOWNER III</i></b>	East Cameron 272-H	Chevron	Workover
<b><i>SUNDOWNER IV</i></b>	Eugene Island 333-B	Pennzoil	Workover
<b><i>SUNDOWNER V</i></b>	West Delta 73-B	Exxon	Workover

**Amelia Broadcasting Company of Louisiana  
Comments of Amelia Broadcasting Company of Louisiana  
March 10, 1997**

**EXHIBIT 4**

## U.S. GULF OF MEXICO

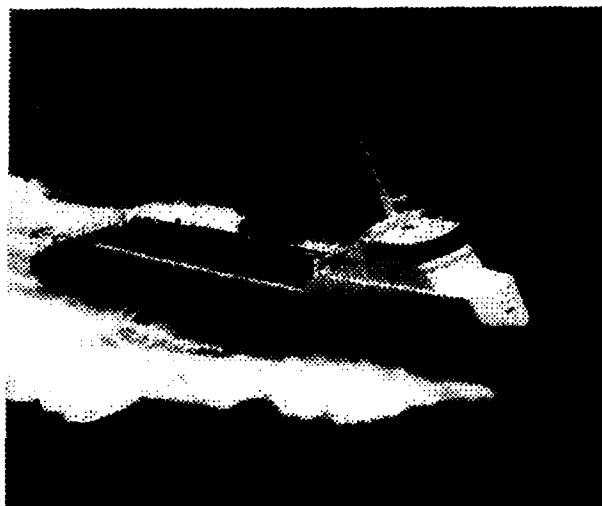
**Tidewater Marine, Inc.**  
200 Ford Industrial Road  
Amelia, LA 70340  
Tel. (504) 631-5820, (800) 683-8433  
Fax. (504) 631-5823

**Tidewater Marine, Inc.**  
201 Rue de Jean, Suite 111  
Lafayette, Louisiana 70508  
Tel. (318) 232-8255  
Fax. (318) 237-2908

**Tidewater Marine, Inc.**  
Kirkwood Atrium III  
11757 Katy Freeway, Suite 500  
Houston, TX 77079

**Tidewater Marine, Inc. Towing Division**  
1253 First Avenue  
P.O. Box 802  
Harvey, Louisiana 70059  
Tel. (504) 340-5051, (800) 535-4187  
Fax. (504) 347-4057

**Quality Shipyards, Inc.**  
3201 Earhart Blvd.  
Houma, Louisiana 70363  
Tel. (504) 876-4846  
Fax. (504) 868-7339



[Return to Location Map](#)  
[Home](#)

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**CERTIFICATE OF SERVICE**

I, Henry E. Crawford, Esq., do hereby certify that copies of the foregoing  
*Comments of Amelia Broadcasting Company of Louisiana* have been served by  
United States mail, postage prepaid this 10th day of March, 1997 upon the  
following:

\*John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W.  
Washington, D.C. 20554

\*Ms. Pam Blumenthal  
Allocations Branch  
Policy and Rules Division  
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2025 M Street, N.W.  
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\*Hand Delivered

  
Henry E. Crawford, Esq.